

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.2689 OF 2015
IN
REVIEW PETITION (STAMP) NO.5588 OF 2015
IN
WRIT PETITION NO.6260 OF 2013**

Mrs. Sarika w/o Mahendra Sureka .. Applicant

Versus

Mrs. Kusumlata w/o Rajkumar Sureka and another .. Respondents

Mrs. Jai Kanade a/w Mr. S. S. Kothari, for the Applicant.

**CORAM : R.M. SAVANT, J.
DATE : 1st OCTOBER, 2015**

PC.

1. The above Civil Application has been filed seeking condonation of delay of 277 days in filing the Review Petition. The Review Petition is filed seeking review of the judgment and order dated 25.04.2014 passed by this Court in Writ Petition No.6260 of 2013. In so far as the delay of 277 days is concerned, the same is sought to be explained by contending that the judgment rendered by another Learned Single Judge of this Court in John Francis Anthony Gonsalves and another Vs. Colin M. Rebello in Suit No.465 of 2011 came to the knowledge of the Applicant only sometime in February 2015 after which the Review Petition

was filed and therefore the condonation of delay is sought on the said ground. It is required to be noted that the instant Review Petition has been filed by another Advocate than the who had appeared for the Petitioner in the said Writ Petition. In my view, the reason mentioned in paragraph 3 of the said Civil Application can hardly be said to be a reason which can be said to satisfy the test of sufficient cause. The delay cannot be condoned on the said ground. In that view of the matter, no case for condonation of delay of 277 days in filing the Review Petition is made out, the Civil Application is accordingly rejected. In view of the rejection of the Civil Application, the Review Petition which suffers from the said delay of 277 days does not survive and to accordingly stand disposed of as such.

[R.M. SAVANT, J]

CERTIFICATE

Certified to be true and correct copy of the original signed
Judgment/Order.